

**BUDGET & FINANCE COMMITTEE**  
**of the**  
**SUFFOLK COUNTY LEGISLATURE**

**Minutes**

A regular meeting of the Budget & Finance Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on Thursday, **October 28, 2004**.

**MEMBERS PRESENT:**

Leg. Allan Binder, Chairman  
Leg. William J. Lindsay, Vice•Chairman  
Leg. Daniel P. Losquadro  
Leg. Lynne C. Nowick  
Leg. David Bishop

**ALSO IN ATTENDANCE:**

Mea Knapp, Counsel to the Legislature  
Ilona Julius, Deputy Clerk  
Jim Spero, Director of Budget Review  
Ellen Martin, Aide to Leg. Binder  
Ben Zwirn, Assistant Deputy County Executive  
Ron Foley, Commissioner of Parks  
Lynne Bizzarro, Chief Deputy County Attorney  
Ken Knappe, Budget Office, County Executive  
Chief Otto, Sheriff's Department  
Maria Ammirati, Aide to Leg. O'Leary  
Ellen Martin, Aide to Leg. Binder  
Carmine Chiusano, Chief Financial Analyst

**MINUTES TAKEN BY:**

Diana Kraus, Court Stenographer

**(THE MEETING CONVENED AT 1:17 PM)**

**CHAIRMAN BINDER:**

Will everyone rise for the Pledge of Allegiance led by Legislator Nowick.

**(SALUTATION)**

**CHAIRMAN BINDER:**

The Budget and Finance Committee will come to order. Let me see. Do I •• I don't have any •  
• I don't have any cards. I don't know if there are any cards that •• if anyone wants to •• is  
this •• ah, I do have this one card. Okay. I have one card. Let me call this person up first  
before we get to the agenda. Scott Williams, Brentwood Family Health Center.

**MR. WILLIAMS:**

Good afternoon. I'd like to thank you for the opportunity to speak with you this afternoon  
regarding the Bay Shore Family Health Center and resolution 1555. My name is Scott Williams.  
I'm currently the Administrator at the Brentwood Family Center. I've been asked here to  
address the Legislature regarding the proposition to remove \$4 million from the health center  
contract between Southside Hospital and the Suffolk County Department of Health that is a  
result of the closure of the Bay Shore Family Health Center. The Bay Shore Family Health  
Center was formerly closed in November of 2001 due to unresolved air quality issues. At that  
time the staff of the health center were transferred to either the Brentwood Health Center or  
the Central Islip Health Center. Patients of the Bay Shore Health Center were given the option  
of transferring to either health center or any other health center facility within Suffolk County  
Department of Health. The majority of those patients chose to pick a health center based on  
the location of their primary care provider, who would transfer to either the Central Islip or the  
Brentwood •• Brentwood facilities.

Beginning with fiscal year 2002 and going forward, the expense of operating the Bay Shore  
Family Health Center has been rolled over into the budgets of the Brentwood and Central Islip  
Health Centers, which are part of the overall contract between Southside and the County. It is  
necessary to absorb the expense into these budgets to meet the increased volume of  
approximately 1800 visits at the Central Islip Health Center and over 14,000 visits and 165  
deliveries at the Brentwood Family Health Center. In addition it should be noted that there's

been a reduction in the overall FTE's of approximately 12 due to previous budget issues that necessitated freezing any vacant positions within the Islip Health Center contract. The potential loss of this \$4 million from the health center contract would have a devastating impact on our ability to meet the medical needs of the citizens of Suffolk County particularly those who reside in Bay Shore, Brentwood, and the Central Islip communities. The loss of this money could result in the closure of the Central Islip Health Center or reduction in hours and services at the Brentwood Health Center to name two of the more dramatic impacts of the loss of this funding. The loss of this funding is also going to have a negative impact on area hospitals as we'll see an increase in ER visits related to primary care issues. Not only will this unnecessarily clog the emergency rooms but also lead to more costly health care expenses as the ER is an inappropriate setting to address these primary care related issues.

At a time when the number of uninsured families are rising and the demand for services offered by the Suffolk County Department of Health Network of Family Health Centers is increasing, the need for funding of the health center program needs full consideration. If this legislation is approved, it's adverse effects will be felt for years by the residents of Suffolk County. Thank you.

**CHAIRMAN BINDER:**

Thank you. Just the •• short answer is that the reason that the bill was put in is because of the desire of the Legislator who put it in to move forward as promised by some in government including Dr. Harper in getting •• going on •• reopening the center. And my assumption is we're not taking care of the patients as we're able to. And you were talking about they went other places. We're probably not doing the same service that we were doing for them. So, that's what this is about. That was the intent. It's not going to be passing through today.

**MR. WILLIAMS:**

Thank you. Okay.

**CHAIRMAN BINDER:**

If nothing else •• is there anyone else who wants to speak before the Committee? If not, we will move to Tabled Resolutions. Now, members of the Committee you will notice that this is the tone •• this is a lot of •• there's a lot on here. We had to go to small type just to limit the number of pages. So, we're going to go through this as quickly as possible. Thank you for anticipating. Then, I'm going to ask you to come up. Let's try to do those which are not controversial as quickly as possible when we get up to the budget •• the budget questions.

Start with **Tabled Resolution 1441. (Amending the 2004 Capital Budget and Program and appropriating funds in connection with the purchase of a catamaran patrol vessel •patrol)** That's •• I don't know if that's in here. Is this •• which one is this? Is this the •• this is the one from the County Exec. Okay. There was one that I passed out. Let me just say, Ben, I hope it won't be a problem with signing it. We just took it from a different place. So, I'm going to make a motion to table this. Second by Legislator Nowick. All those in favor? Opposed?

**LEG. LINDSAY:**

I make a motion to approve.

**CHAIRMAN BINDER:**

Let me •• okay. Motion to approve. And I'll •• we have a second by Legislator Bishop. Let me explain what happened. Right, so much for moving quickly. It was •• my bill went to Public Safety. I don't know why, which now confuses the whole process. We will get the catamaran except the money won't come out of what has been used as legislative offset. So, it won't come out of our funds. So, we move the offset. That was the only difference between the two bills. Legislator Lindsay.

**LEG. LINDSAY:**

That was the discussion at the Safety meeting the other day; that we were going to use a different funding source. But we were going to approve the boat.

**CHAIRMAN BINDER:**

Right. The other one approves the boat. It was passed out of Public Safety. So, the boat will be there.

**LEG. LINDSAY:**

Okay. So ••

**CHAIRMAN BINDER:**

So, we don't need this bill.

**LEG. LINDSAY:**

•• we have •• we have two competing resolutions to buy the same boat.

**CHAIRMAN BINDER:**

Right. Right. I'm just not going ••

**LEG. LINDSAY:**

I'll withdraw that.

**CHAIRMAN BINDER:**

Withdraw that. And I'll change mine to motion to table subject to call, second by Legislator Losquadro. All those in favor? Opposed? **1441 is tabled subject to call. (Vote: 5•0)**

**1476, Charter Law amending C4•13 to allow amendment of the Capital budget for mandated projects.** Motion to table, second by Legislator Losquadro. All those in favor? Opposed? **1476 is tabled. (Vote: 5•0)**

**1555 (amending the 2004 Capital Budget and Program to reduce funding for Health Clinics),** motion to table by myself, second by Legislator Bishop. All those in favor? Opposed? **1555 is tabled. (Vote: 5•0)**

Introductory Resolutions. **1885 is amending the Operating Budget and transferring funds for the Deer Park High School Parent Faculty Student Club.** Let me explain what this is before I make a motion. What this is, is the contingency money that we all get. And it went to •• to Deer Park. They got their amount. And, you know, back and forth missed the deadline on the contract. And so it went past the end of the year. So, we're just trying to get them money because it went over the year.

**LEG. LINDSAY:**

What's the amount and save me the trouble of looking it up.

**CHAIRMAN BINDER:**

It should be about 3,000. I don't have it in front of me but I'm pretty sure that's •• that's how much they give each of ••

**LEG. LINDSAY:**

Okay.

**CHAIRMAN BINDER:**

Okay? I'm going to make a motion, second by Legislator Nowick. All those in favor? Opposed?

**1885 is approved. (Vote: 5•0)**

**1889, amending the 2004 discretionary Operating Budget abolishing three Deputy Sheriff I positions (to implement cost•containment staffing policy)** motion by Legislator Nowick, second by Legislator Losquadro. Any questions? All those in favor? Opposed? **1889 is approved. (Vote: 5•0)**

**1899, to readjust, compromise and grant (funds and charge•backs on real property correction of errors by: County Legislature Control #724•2004) ••** well, okay, all those things. Motion by Legislator Lindsay, second by Legislator Bishop. All those in favor? Opposed? **(1899) approved. (Vote: 5•0)**

**1925, adopting fiscal Discipline Tax Constraint Discretionary Operating Budget for 2005 through Smart Budget Management.** That is the discretionary site of the budget sent over by the County Executive. It has been the tradition of this Legislature unless we are in a particularly angry mood to table it in Committee unless we're at odds with the County Executive. And just let me put on the record as painful as this might be that the budget this was sent to us this year, and I've been doing this fifteen years, it's one of the best budgets I've seen come across. And this is •• now, you know this is painful, Ben. All right? This is hurting me, but I can't help it.

**MR. ZWIRN:**

I know Dave's arms aren't long enough to reach over and put his arms on you.

**CHAIRMAN BINDER:**

No, it's not even Dave. This is a terrible thing. It actually was a very well thought out budget. It was well put together. We are going to make some changes, Ben. But changing priorities and things like that. But I can say overall in fifteen years it was one of the better budgets that's come across here. And I appreciate that. So, the motion that I'm going to make to table it doesn't •• isn't a •• I just want to make sure it's •• it's not a message that we have a problem with it. Other than we're going to do what we normally do every time and we're going to do the amending process. Anyone else want to make a comment on the budget, they can. If not, I'll make a motion to table, second by Legislator Bishop. All those in favor? Opposed? **1925 is tabled. (Vote: 5•0)**

Same motion, same second, same vote on **1926 (adopting Fiscal Discipline Tax Constraint Mandated Operating Budget for 2005 through Smart Management) (Tabled. Vote: 5**

•0)

**1927 Budget Supplement number one (to the 2005 Recommended Suffolk County Operating Budget) ••**

**MR. KNAPPE:**

Legislator, Can ••

**CHAIRMAN BINDER:**

Yes.

**MR. KNAPPE:**

•• I just make one comment on this one?

**CHAIRMAN BINDER:**

Sure.

**MR. KNAPPE:**

I apologize. The one difference between introductory resolution 1927 as opposed to 1925 and 26, it's not the one that's adopting the County Executive's budget as submitted in whole. This is the resolution that takes into compliance the tax law •• the tax cap laws and the expenditure cap laws.

**CHAIRMAN BINDER:**

Right. I was •• what I was going to just about do ••

**MR. KNAPPE:**

I apologize.

**CHAIRMAN BINDER:**

No, that's no problem. I was going to ask Jim Spero can you give us your take on the budget supplement, the numbers in there, do you agree? I just wanted to get your take on 1927.

**MR. SPERO:**

Yeah, this is the budget piercing resolution submitted by the County Executive. It requires 14 votes and provides the necessary appropriations for the County to pay its retirement bill on February 1st, 2005.

**CHAIRMAN BINDER:**

Are you in agreement on the number?

**MR. SPERO:**

I would recommend it be put out for a vote.

**CHAIRMAN BINDER:**

Right. No, no. But I •• really the only question, I think, we need to know is are you in agreement ••

**MR. SPERO:**

Yes, we are.

**CHAIRMAN BINDER:**

•• with the numbers presented? That was the important thing.

**MR. SPERO:**

We are.

**CHAIRMAN BINDER:**

If anyone has other questions on 1927, motion by Legislator Lindsay, second by Legislator Losquadro. All those in favor? Opposed? **1927 is approved. (Vote: 5•0)**

**1929, amending the 2004 Operating Budget transferring funds for the Northport American Legion Post 694 Corporation.** I haven't heard anything from Mr. Cooper on this. Is there •• where does this money come from?

**LEG. BISHOP:**

Motion to discharge without recommendation. It's similar to yours.

**CHAIRMAN BINDER:**

Is this previous money that was from his •• from the contingency money? I don't know anybody who has given \$10,000 out of their contingency so ••

**MR. SPERO:**

This is not out of legislative contingency money. This is •• the offset is Economic Development permanent salaries.

**CHAIRMAN BINDER:**



Okay. Give me a moment.

**LEG. LINDSAY:**

I make a motion.

**CHAIRMAN BINDER:**

For an office trailer at a fraction •• at the ••

**MR. KNAPPE:**

Legislator Binder?

**CHAIRMAN BINDER:**

Yes.

**MR. KNAPPE:**

Can I just make one comment on this bill and it's a generic comment for several bills.

**CHAIRMAN BINDER:**

Or you can be specific on this one because it would be helpful.

**MR. KNAPPE:**

I'll be specific on this one. The Budget Office normally at this time of the year in conjunction with Budget Review as we start digesting what the omnibus is going to be, we start working on our annual housekeeping resolution as we call it where we transfer monies from certain surplus accounts to accounts that we expect that need to •• payments to be made. And I would just recommend the Committee to take that into consideration when you're voting on this bill and other bills. We may be in the need of looking for excess appropriations in several accounts. This is definitely one of those accounts where we may be able to squirrel some money away from one account and transfer it to a different account.

**CHAIRMAN BINDER:**

I have what it does. It buys a trailer for the golf course that's up in Northport.

**LEG. BISHOP:**

We are more interested in the origin. In other words, is this omnibus related? Is this related to

contingency accounts or is this ••

**CHAIRMAN BINDER:**

It would seem to me why can't we ••

**LEG. BISHOP:**

•• a bill filed to spend money?

**CHAIRMAN BINDER:**

Well, let Counsel see if ••

**MS. KNAPP:**

I would just point out that what he says in the Whereas is that the •• the American Legion Post has an opportunity to purchase office trailers at a fraction of their original cost for use as a clubhouse.

**LEG. BISHOP:**

I'm going to make a motion to table and hope that the American Legion will still have this opportunity next year; and that Legislator Cooper can find a way ••

**CHAIRMAN BINDER:**

And we're doing •• we've got a budget. We're doing •• we're in the middle of the budget.

**LEG. BISHOP:**

No, I would say table.

**CHAIRMAN BINDER:**

Motion to table by Legislator Bishop. Do I have a second? Legislator Lindsay.

**LEG. BISHOP:**

That is the inevitable Pandora's Box.

**CHAIRMAN BINDER:**

All those in favor? Opposed? Okay. We're going to table that for now. Right, it would seem we're in a process right now where there's probably the ability for the Legislator to find that

amount and they can have it by January possibly. Right. Okay. **(1929 Tabled. Vote: 5•0)**

We're now •• **1932, transferring contingent funds for various contract agencies Phase III.** Didn't we just do that? This is another transferring contingency funds. Let me see. Hold it. Let me see the back up on this. One moment. No, I thought we did this. Oh, we just laid it on the table. That's why I saw it. Sorry. I apologize. I saw it laid on the table, not passed. Motion by Legislator Nowick, second by Legislator Lindsay. All those in favor? Opposed? **Approved. (Vote: 5•0)**

**1933, establishing truth and accountability tax bill policy for impact of Suffolk County Sheriff's Office on County Taxpayers.**

**LEG. BISHOP:**

On the motion. Motion to table but I'd like to ••

**CHAIRMAN BINDER:**

Motion to table by Legislator Bishop, second by myself. And, on the motion.

**LEG. BISHOP:**

This bill, like similar to 1555, Legislator Alden's bill, is filed to draw attention to an issue. The issue that I want to draw attention to is that the Sheriff's budget is very important to the financial health of the County. In fact, if you broke it out and made it a separate line on the tax bill, you couldn't do it because it's twice the General Fund, which is what Budget Review's position is. How can you do this when it's twice the General Fund? But my point is, that given that we're dealing with such large numbers, it's important for the Legislature to have aggressive oversight over the department in that •• it's my understanding that the department is 4% over budget this year. And if that trend continues, then there are serious implications on taxpayers. But I will make a motion to table.

**CHAIRMAN BINDER:**

Do I have a second? I am the second. All those in favor? Opposed? **1933 is tabled. (Vote: 5•0)**

**1937, amending the 2004 Operating Budget and reappropriating hotel/motel funds.**

Okay. We've been tabling •• is this the same one ••

**MR. ZWIRN:**

No.

**CHAIRMAN BINDER:**

It isn't. This is a new resolution. So, you may even explain what's new; the new and approved version.

**MR. ZWIRN:**

This is taking •• this is taking money that was coming from this source going to the Long Island Heritage. And since they are no longer operating certain of the historic sites that we have, the Gmoney will now go to the Parks Department whose personnel is now manning those sites.

**CHAIRMAN BINDER:**

If I could be so bold as to make the motion; and again do a painful thing and even say that I just put out a press release commending the County Executive for this, because this is •• this is something that needed to be done very badly. And I'm very happy you've done this. So, I will make the motion on this, second by Legislator Losquadro. All those in favor? Opposed? This is painful today.

**MR. KNAPPE:**

The Red Sox won the World Series.

**CHAIRMAN BINDER:**

I don't know. Everything is going on. Right. Right. Once in every eighty years or something. I can •• right, something like that.

**MR. KNAPPE:**

Lunar eclipse.

**CHAIRMAN BINDER:**

Well, it was the eclipse •• what a day I'm having here.

**MR. KNAPPE:**

Jewish holidays, good deed.

**CHAIRMAN BINDER:**

I don't know. Right. Maybe. There's something going on here and I can't help myself. It's painful. **(Approved. Vote: 5•0)**

Okay. **1976, amending the 2004 Operating Budget and transferring funds for East Hampton Prenatal Services.**

**MR. ZWIRN:**

Mr. Chair, this bill is probably no longer necessary. The SCIN forms have been signed and the people are in place.

**LEG. BISHOP:**

Motion to table subject to call.

**LEG. LINDSAY:**

Second.

**CHAIRMAN BINDER:**

We have a motion subject to call. All those in favor? And a second by Legislator Lindsay. Motion by Legislator Bishop, second by Legislator Lindsay. All those in favor? Opposed? **(1976) Tabled subject to call. (Vote: 5•0)**

Okay. **1977, amending the 2004 Operating Budget and transferring funds to Suffolk County Community College Culinary Arts Program and various community based not for profit agencies.**

**LEG. BISHOP:**

These amending resolutions, again, what is the •• is this ••

**CHAIRMAN BINDER:**

Well, I'm going to look at this. So, what we've got here is the Whereas is directing •• Handicap Services has requested funds for the purchase of a wheelchair lift equipped replacement van. And so •• and they say the priority ranking of eligibility is ••

**LEG. BISHOP:**

This is just an opportunity •• this is an effort to spend money in the middle of the budget year;

right, without ••

**CHAIRMAN BINDER:**

Without having to deal with •• we are on 2000 •• no, no. 1977. Gee, what am I looking at? Oh, I'm looking at the wrong one. Sorry. 1977, good. Mine was in the wrong one. This is to amend the Operating Budget transferring funds to culinary arts, 48,000 out of the marine helicopter division. I mean, what •• you know, what's the upside? Why do we need •• why does the culinary arts program need this?

**MR. KNAPPE:**

I wanted to speak against the resolution on the budgetary merits, basically to the general comment that I made before. Fund 625, I believe, and Budget Review can correct me if I'm wrong, is ending •• is estimating ending a deficit fund balance. This money will be used to offset some expenditures within fund 625 when we do the housekeeping resolution. In addition, it's given the college an extra 30,000 that was not discussed, I don't believe, on the record or at any point for their budget.

**LEG. BISHOP:**

Again, there are ample opportunities for Legislators to bring forward important initiatives through the budget process. But once we pass a budget, we have to stick to the budget.

**CHAIRMAN BINDER:**

And I haven't heard ••

**LEG. BISHOP:**

Unless there's, you know, exigent circumstances, which does not exist here.

**CHAIRMAN BINDER:**

I haven't heard from Legislator Caracciolo that there is, right, exigent circumstances. So, why don't we just make a motion to table but myself, second by Legislator Bishop. All those in favor? Opposed? **1977 is tabled. (Vote: 5•0)**

**1978, directing the County Treasurer and County Comptroller to provide for the equitable distribution of auction proceeds.**

**LEG. BISHOP:**

Is this the companion to what we did yesterday?

**MR. ZWIRN:**

Yes.

**CHAIRMAN BINDER:**

Oh, right. Okay. So, we need to do this to follow through on the one •• the override.

**MR. ZWIRN:**

There's a question whether this bill is necessary even with the bill that was passed yesterday. I think the County Attorney will speak to it. But the money doesn't have to be segregated. If the County has to pay back money, they can pay it back out of the General Fund; not out •• not out of a •• not out of a segregated account.

**CHAIRMAN BINDER:**

I don't know. Did you want to ••

**MR. ZWIRN:**

The only other thing that I was going to say is that that was •• there's a potential for a \$5 million hole this year to close any gaps. And then going forward there was •• there's two•and •a•half million dollars projected in sales next year, which, I think, will have to be reevaluated by the Legislature at this point. So, there's a seven and a half million dollar potential hole in the budget process as a result of yesterday's legislation.

**CHAIRMAN BINDER:**

Except that it's only the delta between all the costs after all the fees, after everything. And the delta between that and a first appraisal, not even the sale price. It would be from the appraisal price. So, I don't know that that delta is going to bring in that kind of money. That \$5 million figure's pretty high.

**MR. ZWIRN:**

We don't know either. But that money now becomes not solid \$5 million from this year and we don't know now. Now we're dealing with ••

**CHAIRMAN BINDER:**

Right. We don't know the number.

**MR. ZWIRN:**

We don't have any idea •• when the bill was passed, we didn't know what the impact was going to be; what the absolute impact was going to be. And we don't know going forward what the impact is going to be so it changes the equation.

**CHAIRMAN BINDER:**

Legislator Bishop.

**MR. KNAPPE:**

In addition ••one bite at the apple.

**LEG. BISHOP:**

You lost that bite. This bill, however, is about how to administer the program. And it was just yesterday that we made this the law. And I think we should allow the administrative branch •• the executive branch to come up with their plan before we shove a plan down their throats. So, I think a tabling motion would be appropriate. We're not backtracking on our commitment. We passed the law. It's the law. There's going to be an equitable distribution. But they're saying it shouldn't come out of a •• it shouldn't come out of a segregated fund. It might be more appropriate out of the General Fund. I don't know if they've actually pulled together their personnel to discuss how they're going to do it. So, why don't we give them that opportunity?

**CHAIRMAN BINDER:**

Motion to table by Legislator Bishop, second by Legislator Lindsay. Is there anything else on the motion to table? All those in favor? Opposed?

**LEG. LOSQUADRO:**

Opposed.

**LEG. LINDSAY:**

Opposed.

**CHAIRMAN BINDER:**

Opposed, opposed. Three opposed.



**MR. KNAPPE:**

Can I just speak on one portion? I'll speak on one portion budgetarily. They talk about putting the money into a holding account of some sort and to be redistributed after deadlines are set, etcetera. I would question budgetarily, we're taking money that was supposed to be budgeted within the General Fund, we're putting it into an off budgeted fund, it sounds like, in the first Resolve Clause with no time deadline, no time frame of when those monies gets released back to the General Fund. Where as is Assistant Deputy County Executive Zwirn was talking about, include the money as currently is in the General Fund. Judgement and claims would be one possibility where this appropriation can be made back if funds have to be redistributed back out to the parties that it affects. But to have this money in a hold account with no time deadline on which fiscal year this money should be accrued back to or budgeted to makes it a very difficult process for the Budget Office as well as most likely the Treasurer's Office.

**MS. BIZZARRO:**

In addition, there are two main legal issues. One is that there's no statutory mechanism for the County to set up this type of a reserve fund contemplated under this bill. Article Six of the General Municipal Law sets forth the different types of funds that we can establish and how to establish them. For instance, the tax stabilization fund, repair funds, capital reserve funds. And they set up the mechanisms. This does not fall under any of those.

In addition it's in contravention to our own budgetary statutes and process. And the Court of Appeals in \\_Corn versus Gallato\\_ has spoken to this issue. And they've held that all public funds received must be accounted for and may not be accumulated in a reserve for the remote future, which I think is what Ken Knappe is referring to, remote future or for contingencies that may never occur. This is to prevent a larger than necessary tax levy for the ensuring year. So be aware of that. So by taking an approximate, maybe five million, maybe four million, whatever that number is out of the budget for 2004, 2005, you will be forced to go to the taxpayers to makeup the short fall. The County's budget process was designed to prevent this from happening and the Court of Appeals has agreed with that analysis.

**MR. ZWIRN:**

Because that would definitely •• then you would definitely have a hole in the budget. If you're going to segregate this money, you can't spend it at all in the General Fund, then you know the two•and•a•half million dollars next year •• in next year's budget and the \$5.1 million from the first sale will be the segregated accounts unable to be used. So then •• then you'd absolutely

have a hole.

**CHAIRMAN BINDER:**

Legislator Nowick; then Bishop.

**LEG. NOWICK:**

Just a question. And maybe Counsel can answer or somebody. Because we passed that law, we overrode that veto yesterday, that would mean that that money sitting there doesn't actually belong to the County yet. So, how can we keep it in our general account, and maybe it's legal, I'm just asking, because it sounds to me like you have to keep those funds separate. It's not ours because of the law we passed yesterday. And maybe you can. I don't know the answer to that.

**MS. KNAPP:**

I think Legislator Binder did make reference to the fact that the law that we passed yesterday would be a very small portion of those funds that would actually be returned to the taxpayer. To the extent that this does talk about all monies, it would encompass more than what would actually be returned to the taxpayer.

**LEG. LINDSAY:**

Mr. Chair?

**CHAIRMAN BINDER:**

Well, Legislator Bishop unless you want to •• Legislator Lindsay.

**LEG. LINDSAY:**

Yeah. I would like Budget Review to weigh in on this. If this passes, do we have to account for this money in the budget that we're working on now?

**MR. SPERO:**

The budget •• the budget does assume revenue from the sale of real property.

**LEG. LINDSAY:**

Okay.

**MR. SPERO:**

So, to the extent that revenue doesn't materialize, then, theoretically there'll be a shortfall or deficit in the County's fund balance.

**LEG. LINDSAY:**

Okay. But by segregating it, does that make it more necessary that we account for this in this budget process?

**MR. SPERO:**

By segregating it, that means the Treasurer won't be able to book it as revenue.

**LEG. LINDSAY:**

Okay.

**MR. SPERO:**

Okay. So •• for the General Fund. It'll be held in an escrow account of some sort until such time as the bookkeeping is done to determine how much might have to go back to various former property owners. Then, I guess, at that point in time the money would come back in as revenue, whatever was left.

**LEG. LINDSAY:**

Okay. You know, I urge the rest of my Committee members not to pass this at this time. The balance of what we're doing with the operating budget is so delicate at this point; to throw another monkey wrench into it, I'd hate to see the whole thing implode because of this resolution.

**CHAIRMAN BINDER:**

Motion to reconsider.

**MR. ZWIRN:**

Can I just add one thing? Just to echo what Legislator Lindsay said ••

**LEG. BISHOP:**

No.

**MR. ZWIRN:**

No, but I have to say, you still have to take into that consideration, Legislator Lindsay, even though you don't put it into a segregated account, which would make matters worse. But you still have to take into account that there's a potential \$5 million from this year's sale and the projected two•and•a•half million dollars in revenue from future sales for the 2006 budget, you have to take that into account when you go into your conference later.

**LEG. LINDSAY:**

The executive branch is still taking the position that this is unconstitutional; am I right or wrong?

**MR. ZWIRN:**

I think the County Executive is taking it under careful review. He's going to review all his options at this point.

**CHAIRMAN BINDER:**

Everything's warm and fuzzy today, Legislator Lindsay. So, I'm making a motion to reconsider, second by Legislator Nowick to reconsider the tabling motion. All those in favor? Opposed? We are reconsidering. It's before us. Motion to table by Legislator Bishop, second by Legislator Lindsay. All those in favor? Opposed? **It is tabled. (1978) (Vote: 5•0)**

**2022**, amending •• now here we go on the small print. On the agenda, the small print. Okay. Right. Let's see how we can do these. The speed at which we can do these. These are all County Exec •• at least the ••

**LEG. BISHOP:**

They're about \$8 million in Pay•As•You•Go projects; right?

**CHAIRMAN BINDER:**

Right. And they're all Pay•As•You•Go projects. Why don't we state the project. I'm just going just say the number, what the project is. And if we have questions on the project, we'll discuss it.

**LEG. BISHOP:**

And Budget Review, you agree with all these; right, before we start so we can work through these?

**MR. SPERO:**

Yeah, there's no •• we have no objection to adopting these resolutions.

**CHAIRMAN BINDER:**

Okay, **2022 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with the purchase of a wheelchair•lift equipped replacement van for the office of Handicapped Services)** is Pay•As•You•Go wheelchair•lift equipment van for Handicapped Services. Motion by Legislator Nowick, second by Legislator Losquadro. All in favor? Opposed? **Approved. (Vote: 5•0)**

**2023 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with the purchase of equipment for John J. Foley Skilled Nursing Facility)**, is Pay•As•You•Go for equipment for John J. Foley's Skilled Nursing Home Facility. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2024 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with the purchase of Environmental Quality Information Systems)**, this is purchase of Environmental Quality Information Systems. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2025 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with the purchase of environmental health laboratory equipment)** this is for environmental health laboratory equipment. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2026 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with refurbishing District Attorney space at Cohalan Court Complex)**, this is for refurbishing District Attorney space. Anybody want to mess with Mr. Spoda? No. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2027 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with the removal of toxic and hazardous building materials and components at various County facilities)** is for removal of toxic and hazardous building materials. Anyone want to leave that kind of stuff in the building? No. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2028 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with replacement of major buildings operations equipment at various County facilities)** replacement of major building operations equipment at various buildings. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2029 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with safety improvements on CR 67, Motor Parkway at Adams Avenue, Town of Islip).** This is Pay•As•You•Go for Motor Parkway •• improvements to Motor Parkway in the Town of Islip. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2030 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with traffic signal improvements in Suffolk County)** is for Pay•As•You•Go for traffic signal improvements. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2031 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with the installation of guide rail and safety upgrades at various locations),** is Pay•As•You•Go guide rail safety upgrades various locations, Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2032 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with the painting of County bridges),** Pay•As•You•Go for painting

the County Bridges. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2033, (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with the rehabilitation of various bridges and embankments)** Pay•As•You•Go for rehabilitation of those various bridges and embankments. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2034 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with the purchase of heavy equipment for County parks)** Pay•As•You•Go for purchase of heavy equipment for Parks. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2035 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with the public health related harmful algal blooms)** Pay•As•You•Go for public health related harmful algal blooms. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2036 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with the purchase of equipment for groundwater monitoring and well drilling)** Pay•As•You•Go for purchase of equipment for groundwater monitoring and well drilling. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2042 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with the purchase of mammography equipment for Health Centers)** Pay•As•You•Go for purchase of mammography equipment for health centers. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2043 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with an assessment of information system and equipment for Public Works)** Pay•As•You•Go for equipment for public Public Works. Same motion, same second, same vote. **(Approved. Vote: 5•0)**



**2044 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with the occurrence of brown tide in Suffolk County waters) Pay•As•You•Go for in connection with study for •• of the occurrence of brown tide. Same motion, same second, same vote. (Approved. Vote: 5•0)**

Some of the things it's hard to believe we were bonding them and now we're doing Pay•As•You•Go, huh? All right. I do the definitely Pay•As•You•Go thing.

**2045 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with downtown beautification and renewal of Riverhead), Pay•As•You•Go money for downtown beautification and renewal of Riverhead. Same motion, same second, same vote. (Approved. Vote: 5•0)**

**2046 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with downtown beautification and renewal of Bay Shore), that's for Bay Shore; same as the last one but for Bay Shore. Same motion, same second, same vote. (Approved. Vote: 5•0)**

**2047 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with downtown beautification and renewal of North Amityville), the same. That's for North Amityville. Same motion, same second, same vote. (Approved. Vote: 5•0)**

**2048 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with downtown beautification and renewal of William Floyd, Montauk Highway) that's the same thing. That's for William Floyd, Montauk Highway. Same motion, same second, same vote. (Approved. Vote: 5•0)**

**2049, (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with downtown beautification and renewal of Huntington Station), it's the same for my beautiful downtown Huntington Station. Same motion, same**



second, same vote. **(Approved. Vote: 5•0)**

**2050 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with dredging of Mt. Sinai Harbor, Town of Brookhaven)** same Pay•As•You•Go money •• oh no. This is Pay•As•You•Go money for the dredging of Mt. Sinai Harbor, Town of Brookhaven. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2051 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with dredging of Stony Brook Yacht Club Spur, Town of Brookhaven).** This is Pay•As•You•Go money for dredging of Stony Brook Yacht Club Spur in the Town of Brookhaven. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2052 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with strengthening and improving County roads)** is for Pay•As•You•Go money for strengthening and improving County roads. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2053 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with rehabilitation of parking lots, drives and curbs at various County facilities)** Pay•As•You•Go money for the rehabilitation of parking lots, drives and curbs at various county facilities. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2054 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with the reconstruction of culverts),** Pay•As•You•Go money in connection with reconstruction of culverts. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2055 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with improvements to County environmental recharge basins)** is

Pay•As•You•Go money for improvements to county environmental recharge basins. Same motion, same second, same vote. **(Approved. Vote: 5•0)** I know, you should have made the motion on that. Sorry, Dave. You're becoming the basin guy.

**2056 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with the Probation Officer remote access system)** Pay•As•You•Go money for Probation Officer remote access system. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2057 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with energy conservation at various county buildings)** Pay•As•You•Go money for energy conservation at various buildings. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2058 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with roof replacement on various county buildings)** roof replacement at various county buildings. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

**2079 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with the purchase of perimeter fencing for the new Sixth Precinct)** is Pay•As•You•Go in connection with purchase of perimeter fencing for the Sixth Precinct. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

This is Pay•As•You•Go money. **2082 (amending the adopted 2004 Operating Budget to fund Pay•As•You•Go Capital Projects and appropriating the 2004 Capital Budget and Program Pay•As•You•Go Funds in connection with safety improvements at various intersections)** is Pay•As•You•Go money for safety improvements at various intersections. Same motion, same second, same vote. **(Approved. Vote: 5•0)**

And now everyone should concentrate again because we have a Sense Resolution. **Sense of the Legislature resolution requesting the New York State Legislature to amend the**

**Suffolk County Tax Act to allow waiver of penalties and interest for Brownfields property.** Motion by Legislation Bishop. I'll second it and ask to co•sponsor your bill. That's a good piece of legislation. How about everybody on the Committee? Everybody wants to co•sponsor Mr. Bishop's excellent piece of Sense Resolution.

**LEG. BISHOP:**

There's a bill being filed with the State Legislature so ••

**CHAIRMAN BINDER:**

There you go. It's timely. Motion by Legislator Bishop, second by myself. All those in favor? Opposed? **Sense 72 is approved. (Vote: 5•0)**

Is there anything to come before the Committee? Anything else? Sorry to bring you all down today to do nothing, but better than not. We are adjourned.

**(THE MEETING CONCLUDED AT 1:53 PM)**